



CERTIFICATE OF OCCUPANCY FORM

COB # _____ COH # _____
BUSINESS: _____ HOME OCCUPATION: _____

BUSINESS ADDRESS: _____

APPLICANT'S INFORMATION

APPLICANT NAME: _____ TELEPHONE: _____
MAILING ADDRESS: _____ FAX NUMBER: _____

PROPERTY INFORMATION

ZONING DISTRICT: _____ PREVIOUS/CURRENT USE: _____

	YES	NO
Will there be any interior or exterior modifications or renovations?		
Will there be any plumbing or electrical work performed?		

BUSINESS INFORMATION

TYPE OF
BUSINESS/NAME: _____

(HOME OCCUPATION APPLICATIONS ONLY)

Will anyone be employed other than members of the family living on the premises?

Will anything be visible from the exterior to indicate that this is being used for anything other than a dwelling?

Will the occupation be conducted in your house (i.e., office, workshop) and not in your detached garage or accessory building?

YES	NO

PLEASE READ RULES ON REVERSE AND PROVIDE SIGNATURE

I, the undersigned, have read the aforementioned provisions and certify that I will comply with the City Code of the City of Winchester and the Zoning Ordinance pertaining to the operation of my business/home occupation.

Signature: _____

Date: _____

FOR OFFICE USE ONLY

Date Received:	Temporary Certificate of Occupancy Issued:
Tax Status:	Permanent Certificate of Occupancy Issued:
Building Official Review:	Certificate of Occupancy Revoked:
Proposed Use _____ is _____ is not approved.	Zoning Administrator:

GENERAL:

A Certificate of Occupancy **shall** be obtained from the Zoning Administrator for any of the following:

- Occupancy and use of a building hereafter erected.
- Change in the use of an existing building.
- Occupancy and use of vacant land, except for any agricultural use.
- Any change in the use of a nonconforming use.
- Enlargement of any use with respect to the unit of measurement specified in this chapter as the basis for determining the amount of required automobile parking space, whether the same is specified in terms of floor area, dwelling units, seats, or any other element of size of the use.

Written application for a Certificate of Occupancy is required to be made to the Zoning Administrator. If the proposed use is in conformity with the provisions of the Zoning Ordinance, and of all other applicable laws and ordinances, as certified to the Zoning Administrator by the officers, bodies, or agencies responsible for the administration thereof, the Certificate of Occupancy shall be issued within five (5) business days after the application for the same has been made. Pending the issuance of a certificate, a temporary Certificate of Occupancy may be issued. Such temporary certificate shall not be construed as in any way altering the respective rights, duties, or obligations of the owner or the City relating to the use or occupancy of the land or building or any other matter covered by the Ordinance.

No Certificate of Occupancy shall be deemed to validate any violation of any provision of any law or ordinance. A Certificate of Occupancy shall be deemed to authorize, and is required for, both initial and continued occupancy and use of the building or land to which it applies and shall continue in effect so long as such building and the use thereof or of such land is in full conformity with the provisions of the Zoning Ordinance and any requirements made pursuant thereto. **On the serving of notice of any violation of any such provisions or requirements with respect to any building, or the use thereof or of land, the Certificate of Occupancy for such use shall thereupon become null and void and a new certificate shall be required for any further use of such building or land.**

HOME OCCUPATIONS:

Home occupations are permitted in any dwelling unit. A home occupation is an accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services; and conducted in a dwelling unit only by a person or persons residing in the dwelling unit, provided that:

- It is clearly incidental and subordinate to the dwelling unit's use for residential purposes by its occupants;
- It is conducted in the main building and does not result in alteration of the appearance of the dwelling unit or the lot on which it is located;
- It is not identified by any sign or by a display of merchandise visible from the exterior of the building;
- It does not involve the storage of goods and materials in excess of fifty (50) square feet of floor area. This storage may be either in the main building or an accessory building, but it shall not be permitted outdoors.
- No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district;
- The operation of a daycare facility for not more than five (5) children shall be considered a permitted home occupation, provided that the other provisions of Section 18-19 of the Zoning Ordinance are complied with.

BUSINESS LICENSE TAXES:

Every person engaging in the City in any business, trade, profession, occupation or calling as defined in this chapter, unless otherwise exempted by law, shall apply for a license for each such business if:

- Such person maintains a definite place of business in the City,
- Such person does not maintain a definite office anywhere but does maintain an abode in the City, which abode for the purposes of this chapter shall be deemed a definite place of business (*see Home Occupations above*)

The tax shall be paid with the application in the case of any license not based on gross receipts. If measured by gross receipts, taxes on businesses beginning after January 1 are due thirty days after the business is begun, or March 1, whichever is later. No business license shall be issued to an applicant until the applicant has produced satisfactory evidence that all delinquent business license, personal property, meals, transient occupancy and admissions taxes owed by the business to the City have been paid.

REAL ESTATE TAXES:

Prior to the initiation of an application for a special exception, special use permit, variance, rezoning or other land disturbing permit, including building permits and erosion and sediment control permits, or prior to the issuance of final approval, the authorizing body may require the applicant to produce satisfactory evidence that any delinquent real estate taxes owed to the locality which have been properly assessed against the subject property have been paid. (§15.2-2286(b), Code of Virginia, et seq.)